

April 1, 2014

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street S.W.  
Washington, D.C. 20554

*Re: In the Matter of Preserving the Open Internet, GN Docket No. 14-28*

Dear Ms. Dortch:

On March 28, 2014, Dave Schaeffer and Bob Beury of Cogent Communications Group, Inc. ("Cogent"), joined by Jim Denvir and Hershel Wancjer of Boies, Schiller & Flexner LLP, met with Philip Verveer, Senior Counselor; Jonathan Sallet, Acting General Counsel; and Stephanie Weiner, Associate General Counsel.

During our meeting, Mr. Schaeffer, Cogent's Founder and Chief Executive Officer, explained that Cogent, a multinational Tier 1 Internet service provider that carries approximately 21% of the world's Internet traffic, is consistently ranked as one of the top five networks in the world. As the cost of Internet access provided by Cogent has continued to fall by approximately 22% per year over the past five years, innovative edge providers like Netflix (and its nascent competitors) have been able to deliver new high-bandwidth services to consumers. During the same period, however, large Internet access providers (IAPs) like Verizon, Comcast, Time Warner Cable and AT&T have not reduced the cost of Internet access to consumers who subscribe to their broadband services.

Over the past 18 months, consumer demand for streaming video and other bandwidth-intensive content has increased dramatically. As Mr. Schaeffer explained, the large integrated broadband providers—who have an incentive to steer their subscribers toward their own on-demand services (e.g., Verizon's Redbox Instant or Comcast's XFINITY On Demand) and away from competitive services offered by unaffiliated edge providers (e.g., Netflix, YouTube or Skype)—are refusing to upgrade their network connections with companies like Cogent. The result is a degraded quality of service to end-users. Moreover, IAPs have sold their customers something they cannot (or will not) deliver—consistent access to the entire Internet at advertised speeds. Thus, while companies like Cogent—whose sole business is the provision of Internet access—have a vested interest in optimal Internet functionality, vertically-integrated IAPs do not share this interest.

We also briefly discussed the comments Cogent recently filed in the Commission's new open Internet proceeding. In particular, Mr. Schaeffer emphasized Cogent's belief that broadband Internet access should be reclassified as a Title II telecommunications service, including the attendant common-carrier obligations that accompany such classification. If the

Commission opts not to reclassify at this time, Mr. Schaeffer suggested that the proposals set forth in Cogent's comments offer ways to enhance the current transparency rule and to identify and remedy network congestion.

Please direct any questions regarding this correspondence to my attention.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hershel Wancjer', with a stylized, cursive script.

Hershel Wancjer

cc: Philip Verveer  
Jonathan Sallet  
Stephanie Weiner